

REMARKS

The restriction requirement of February 8, 2001 required an election of compounds (claims 35 and 36) or method (claims 1-34 and 37-41). The methods of claims 1-34 and 37-41 were not divided into separate groups. More particularly, the methods of Group II were clearly not limited to the use of compounds of claim 35 since claims 22-27 and 37-40, designated as part of Group II, do not contain any compounds defined within claim 35.

Therefore, Applicants submit the full scope of method claims 1-34 and 37-41 should be examined consistent with the restriction requirement.

Rejection Under 35 USC §112, second paragraph

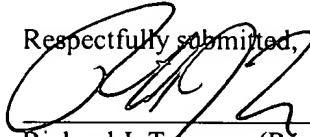
In Applicants copy of the specification, the phrase in claim 1, lines 8 and 9 reads "halogen, up to per-halosubstitution" and not "halogen, up to halosubstitution". Applicants copy should be consistent with the specification filed. If not, Applicants request that the Examiner indicate so and this discrepancy (and any others) will be corrected.

Applicants submit one skilled in the art would recognize from the phrase 'per-halosubstituted' that the cyclic structures of B can have halogen on all substituent positions. This language is clear and not indefinite as to the number of halogens that can appear on any given cyclic structure of B. This phrase is used in prior U.S. patents such as U.S. Patent Nos. 6,171,664; 6,056,893 and 5,961,880.

Based on the above remarks, Applicants submit that the rejection of claims 1-43 under 35 USC §112, second paragraph should be withdrawn and the examination should be extended to the full scope of the elected subject matter.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


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